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031340Z Nov 04

UNCLAS SECTION 01 OF 02 KUWAIT 003769

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E.O. 12958: N/A

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SUBJECT: AMBASSADOR AND INFORMATION MINISTER DISCUSS IPR,
WOMEN'S RIGHTS AND THE HUMAN RIGHTS REPORT

REF: A. KUWAIT 3633

[1](#)B. KUWAIT 1558

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[1](#)1. (SBU) SUMMARY AND COMMENT. In a lively November 3 courtesy call on Minister of Information Muhammad Abulhassan, the Ambassador discussed intellectual property rights (IPR), the prospect for Kuwaiti women's enfranchisement, and the State Department's Human Rights Report. Abulhassan conceded that the Ministry has IPR enforcement problems, but said that he will correct these shortcomings by toughening penalties, increasing the number and power of Ministry of Information inspectors, and cracking down on public markets where counterfeits are openly sold. The Ambassador emphasized that this is vital to moving forward toward a free trade agreement. On women's enfranchisement, the Minister cited a split among the Islamist members of Parliament that the cabinet believes will help ensure passage of its draft legislation granting women the right to vote and run for office. When the Ambassador asked how the Embassy could help, Abulhassan suggested that the U.S. remain silent to help counter opponents' charges that the legislation is being imposed from the outside. Finally, with regard to the 2003 Human Rights Report, the Minister suggested that the GOK and the Embassy work together to ensure that the next report reflects all available information, noting the extensive comments provided to us recently by the Justice Minister. The Ambassador underscored that the goal of the HRR is not to embarrass other nations but to protect human rights, and said an ongoing dialogue is precisely what we need. END SUMMARY.

[1](#)2. (SBU) COMMENT. On IPR, Abulhasan said all of the right things, and his candor was disarming. The key test, however, will be whether the Ministry follows through with these proposed changes, and it has a poor record in doing so. Abulhasan's confidence about the prospects for the women's rights legislation is encouraging, and the Islamic Constitutional Movement's recent decision to support women's rights bodes well for the passage of this legislation. END COMMENT.

Minister Admits IPR Problems, But Has Plan

[1](#)3. (SBU) During a lively November 3 courtesy call, the Ambassador discussed intellectual property rights (IPR), women's enfranchisement, and the State Department's Human Rights Report with Minister of Information Muhammad Abulhasan. Abulhasan, whose ministry is charged with IPR enforcement, preemptively raised the issue of IPR protection with the Ambassador. He admitted that the Ministry has enforcement problems, but stressed that he is working to correct these shortcomings. According to Abulhasan, these fixes include draft legislation to toughen penalties for IPR violators; increases in the number of Ministry of Information inspectors from 28 to more than 90 (with full authority to make arrests and seizures); and intensified scrutiny of the weekly "Friday Market," where pirated goods vendors abound. He said the Ministry has begun treating counterfeited products like illegal drugs and alcohol, and commented that this marks a significant change in attitude about IPR. Abulhasan observed that many Kuwaitis have cited the U.S.'s inability -- with so many available resources -- to eliminate the sale of counterfeit goods on New York City's streets as an excuse for Kuwait's lack of action. However, he continued, the United States has adequate laws to protect rights-holders, which he hopes to emulate in Kuwait. The Ambassador thanked Abulhasan for raising IPR, and emphasized that the U.S. considers this to be an important issue that is vital to progress toward a free trade agreement.

Women's Enfranchisement Likely Soon

[1](#)4. (SBU) The Minister told the Ambassador that he hopes the cabinet will succeed in pushing through its draft law enfranchising women and permitting them to run for elected

office, which the National Assembly will take up in its current session. According to the cabinet's information, there is a split among the Islamist members of parliament (MPs), with MP Nasser al-Sane's Islamic Constitutional Movement (ICM) now likely to support the bill. In light of this, Abulhasan said, the cabinet has calculated that the bill has sufficient support to pass. Abulhasan was critical of the more hardline Islamist MPs, one of whom condemned the Minister for running a television and radio campaign in support of the law, effectively "criticizing a governmental institution for supporting government policy." When asked, the Minister also avowed that the cabinet will not settle for a partial victory that would grant women the right to vote but not stand for office, a compromise that some MPs are floating. When the Ambassador asked if the Embassy could better help by offering its support or staying out of the debate, Abulhasan chose the latter, saying that this would deprive the bill's opponents of the chance to claim that this legislation is being imposed from the outside.

Let's Work Together on Human Right's Report

15. (SBU) Abulhasan spoke briefly about the 2003 Human Rights Report (HRR) for Kuwait. He noted that the Ministry of Justice has recently provided a detailed written critique (Ref A). The Minister said that this marked the first time that Kuwait has responded directly and publicly to the HRR. He suggested that the GOK and the Embassy work together in advance of future reports' publication, to ensure that the report is accurate. The Ambassador underscored that the goal of the HRR is not to embarrass other nations but to protect human rights, and he appreciated that the GOK paid sufficient attention to the report to prepare a rejoinder. This would permit the GOK and the USG to have a constructive ongoing dialogue on human rights, the Ambassador added.

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